

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Leonard I. Zon and Sadhana Argarwal
Application No.: Unknown Group: Unknown
Filed: January 18, 2002 Examiner: Unknown
For: Expression Cloning Using a Tagged cDNA Library

Date: <u>1/18/02</u> EXPRESS MAIL LABEL NO. <u>EL92814949/US</u>

PRELIMINARY AMENDMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In accordance with the provisions of 35 U.S.C. § 120, attached hereto is a continuation application which claims priority to co-pending application PCT/US00/19960. Applicant's agent has re-formatted the text of co-pending application PCT/US00/19960 to include (1) an Express Mail label box, the inventors' names, and an updated "Related Applications" paragraph on the first page, (2) the title of the application on the abstract page, and (3) the attorney's docket number in the upper left corner of each page.

The present text of this Preliminary Amendment includes amended Claim 1 as it was amended in above-referenced PCT application in the Reply to the Written Opinion, mailed October 19, 2001.

Applicants respectfully request entry of the following amendments:

In the Specification

Please replace the paragraph at page 1, lines 2 through 5. with the following paragraph:

- - -RELATED APPLICATIONS

This application is a continuation of PCT/US00/19960 filed 20 July 2000, which claims the benefit of 60/145,044 filed 22 July 1999, the teachings of which are incorporated herein by reference in their entirety. - - -

Amendments to the specification are indicated in the attached "Marked Up Version of Amendments" (pages i).

In the Claims

Please amend Claim 1. Amendments to the claims are indicated in the attached "Marked Up Version of Amendments" (pages i and ii).

1. (Amended) A method of identifying a cDNA construct wherein the cDNA construct expresses a tagged polypeptide having a biochemical activity of interest comprising the steps of:
 - a) preparing a tagged cDNA expression library comprising bacterial cells comprising tagged cDNA plasmid constructs;

- b) culturing the bacterial cells of step a) to produce clones wherein each clone corresponds to a single tagged cDNA construct;
 - c) arraying the individual bacterial clones;
 - d) pooling a predetermined number of arrayed clones and isolating plasmid DNA from them;
 - e) transfecting suitable mammalian host cells with the pooled plasmid clones and maintaining the transfected cells under conditions suitable for the expression of the tagged cDNA construct, thereby producing tagged polypeptides;
 - f) assaying the expressed tagged polypeptides for a biochemical activity of interest; and
 - g) repeating steps d) through f) one or more times,
- thereby identifying a cDNA construct encoding the tagged polypeptide having the biochemical activity of interest.

REMARKS

Remarks on amended Claim 1 in the Reply to the Written Opinion from PCT/US00/19966

Claim 1 was amended in PCT/US00/19966 in the Reply to the Written Opinion in order more particularly describe that which applicants regard as their invention.

Remarks on the Amendments Presented Herein

Applicants respectfully request entry of the amendments presented above. These amendments are made in view of the PCT application that serves as the parent document to the present application.

Applicant's agent hereby states that the content of the continuation application presented herewith and co-pending application PCT/US00/19960 are the same and that the continuation application includes no new matter.

Respectfully submitted,

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Dated: January 18, 2002

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MARKED UP VERSION OF AMENDMENTSSpecification Amendments Under 37 C.F.R. § 1.121(b)(1)(iii)

Replace the paragraph at page 1, lines 2 through 5 with the below paragraph marked up by way of bracketing and underlining to show the changes relative to the previous version of the paragraph.

RELATED APPLICATIONS

This application is a continuation of PCT/US00/19966 filed 22 July 2000, which claims the benefit of 60/145,044 filed 22 July 1999, the teachings of which are incorporated herein by reference in their entirety.

Claim Amendments Under 37 C.F.R. § 1.121(c)(1)(ii)

1. (Amended) A method of identifying a cDNA construct wherein the cDNA construct expresses a tagged polypeptide having a biochemical activity of interest comprising the steps of:
 - a) preparing a tagged cDNA expression library comprising bacterial cells comprising tagged cDNA plasmid constructs;
 - b) culturing the bacterial cells of step a) to produce clones wherein each clone corresponds to a single tagged cDNA construct;
 - c) arraying the individual bacterial clones;
 - d) pooling a predetermined number of arrayed clones and isolating plasmid DNA from them;
 - e) transfecting suitable mammalian host cells with the pooled plasmid clones and maintaining the transfected cells under conditions suitable for the expression of the tagged cDNA construct, thereby producing tagged polypeptides;

- f) assaying the expressed tagged polypeptides for a biochemical activity of interest; and
- g) repeating steps d) through f) one or more times.

thereby identifying a [pool of clones comprising a] cDNA construct [expressing a] encoding
the tagged polypeptide having [a] the biochemical activity of interest.

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